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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,503	05/11/2004	Bar-Long Denq	CEIP0062USA	3502
27765 7590 07/03/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER PIZIALI, JEFFREY J	
			ART UNIT	PAPER NUMBER
			2629	
			NOTIFICATION DATE	DELIVERY MODE
			07/03/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/709,503

Applicant(s)

DENQ ET AL.

Examiner

Jeff Piziali

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Independent claim 1 recites the limitation "the sidewalls of the container" in line 7. There is insufficient antecedent basis for this limitation in the claim.

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6. Claim 1 is further rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

The omitted structural cooperative relationships are between the "surface of the container" (line 5) and the "sidewalls of the container" (line 7). It would unclear to one having ordinary skill in the art, whether the claimed "surface" and "sidewalls" refer to the same container element, or rather refer to two different and distinct elements.

Furthermore, another omitted structural cooperative relationship is between the "base" (recited in line 6) and the "base" (recited in line 15). It would unclear to one having ordinary skill in the art, whether the each claimed "base" refers to the same base, or rather refers to two different and distinct bases.

7. Claims 2-14 are rejected under 35 U.S.C. 112, second paragraph, at least as being dependent upon rejected base claims.

8. Claim 15 recites the limitation "the stress" in line 3. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 16 recites the limitation "the contact layer" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by *Murata et al* (US 4,143,472 A).

Regarding claim 1, Murata discloses a touch panel comprising: a plurality of display units [Fig. 4; multi-cells] arrayed in a matrix, each of the display units comprising: a container [Fig. 4; formed by 11, 12, and 16] containing magnetic materials [Fig. 4; 13]; a transparent film [Fig. 4; 11] installed on a surface of the container; a first isolating component [Fig. 4; 12] installed on a base and a portion of the sidewalls [Fig. 4; 16] of the container for isolating neighboring containers and carrying the magnetic materials; a second isolating component [Fig. 4; 16] for separating the container into two chambers and carrying the magnetic materials, wherein there is an opening [Figs. 6-7; 16a, 16b, and 16e] between the two chambers (see Column 4, Line 15 - Column 5, Line 2); and at least an electromagnetic apparatus [Fig. 10; 22] installed under the plurality of display units to act as a base and used for generating a magnetic field to make the magnetic materials separate from a surface of the second isolating component (see Column 8, Line 24 - Column 9, Line 25).

Regarding claim 2, Murata discloses the first isolating component is composed of insulating materials (see Column 4, Line 15 - Column 5, Line 2).

Regarding claim 3, Murata discloses the second isolating component is composed of insulating materials (see Column 4, Line 15 - Column 5, Line 2).

Regarding claim 4, Murata discloses a panel layer [Fig. 4; 13] for outputting a corresponding touch signal [i.e., visual indication] to a processor [i.e., the user] when pressed (see Column 4, Line 15 - Column 5, Line 2).

Regarding claim 5, Murata discloses the panel layer is installed between the electromagnetic apparatus and the plurality of display units (see Fig. 10; Column 8, Line 24 - Column 9, Line 25).

Regarding claim 6, Murata discloses the panel layer is installed above the plurality of display units (see Fig. 4; Column 4, Line 15 - Column 5, Line 2).

Regarding claim 7, Murata discloses the panel layer is a capacitive panel layer (see Column 11, Lines 1-29).

Regarding claim 8, Murata discloses the panel layer is a resistive panel layer (see Column 11, Lines 1-29).

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Regarding claim 9, Murata discloses a sensor layer for detecting whether the panel layer is pressed [Fig. 9; A & B] (see Column 4, Line 15 - Column 5, Line 2).

Regarding claim 10, Murata discloses the electromagnetic apparatus is an electromagnetic field coil (see Column 9, Line 44 - Column 10, Line 64).

Regarding claim 11, Murata discloses two electromagnetic apparatuses installed under the plurality of display units (see Column 8, Line 24 - Column 9, Line 25).

Regarding claim 12, Murata discloses the magnetic materials in the container are magnetic powder (see Column 11, Lines 1-29).

Regarding claim 13, Murata discloses the transparent film of each of the display units is composed of insulating materials (see Column 7, Lines 31-47).

Regarding claim 14, Murata discloses an electromagnetic apparatus switch [Fig. 9; 24] to switch the electromagnetic apparatus on and off (see Column 8, Line 24 - Column 9, Line 25).

Regarding claim 15, Murata discloses a contact layer [Fig. 2; 14] installed between the plurality of display units and the panel layer, for transferring the stress from the plurality of display units to the panel layer and the sensor layer (see Column 4, Line 15 - Column 5, Line 2).

Regarding claim 16, Murata discloses the contact layer [Fig. 2; 11, 13, 14] comprises a plurality of protruding materials (see Column 4, Line 15 - Column 5, Line 2).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Steinschaden (US 2003/0143014 A1), Yogome et al (US 2002/0176719 A1), Matsuura et al (US 2002/0097199 A1), Matsuura et al (US 2002/0071687 A1), Jackson et al (US 7,158,111 B1), Nihira et al (US 7,015,892 B1), Steinschaden (US 6,866,439 B2), Comiskey et al (US 6,738,050 B2), Nihira et al (US 6,639,579 B1), Comiskey et al (US 6,473,072 B1), Yamazaki (US 6,196,848 B1), Nojima et al (US 6,103,347 A), Ohashi et al (US 5,820,385 A), Itkis (US 5,478,084 A), Murata et al (US 5,429,503 A), Nakanishi et al. (US 5,411,398 A), Crooks (US 5,401,916 A), Igawa (US 5,151,032 A), Nakanishi (US 5,057,363 A), Kobayashi (US 4,675,476 A), Murata et al (US 4,536,428 A), Tate (US 3,982,334 A) are cited to further evidence the state of the art pertaining to touch panels.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Piziali
22 June 2007